

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

FILED

MAY 12 2003

LARRY W. PROPER, CLERK
CHARLESTON, SC

Connelly Management, Inc., Connelly Management
Employee Welfare Benefits Plan, James B. Connelly,
individually, James B. Connelly, as a participant
under the Connelly Management Employee Welfare
Benefit Plan, and all participants similarly situated.

Plaintiffs,

v.

Ferguson Marketing Group, Inc., Ferguson Waldron
Communications, Inc., John Lewis Ferguson, Jr., Shirley
C. "Shan" Ferguson, Robert Waldron, Sharon Waldron,
W. Markus Frye, American Heartland Health
Administrators, Incorporated, Jack H.M. Ferguson,
Edwin W. Ehler, Patricia E. Luper, Mid-South Benefits
Group, James A. Glidewell, Brian S. Glidewell, Southern
Plan Administrators, Inc., Euan David McNicoll, John
Fowler Anderson, Marsh Investment Corporation,
McSooner, Inc., John E.J. King, Arlene G. Cleare,
Worldwide Trustees Services Limited, MarkeTrends
Financial Services, Ltd., MarkeTrends Insurance, Ltd.,

Defendants.

) CIVIL ACTION: 2:02-2440-18

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) **DEFENDANTS JAMES A.**

) **GLIDEWELL, BRIAN S.**

) **GLIDEWELL, AND MID-**

) **SOUTH BENEFITS GROUP'S**

) **ANSWERS TO LOCAL RULE**

) **26.01 INTERROGATORIES**

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COME NOW Defendants James A. Glidewell, Brian S. Glidewell and Mid-South
Benefits Group, and submit their answers to Interrogatories required by Rule 26.01 of the Local
Rules for the United States District Court for the District of South Carolina as follows:

(A) State the full name, address and telephone number of all persons or legal entities
who may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER: Defendants James A. Glidewell, Brian S. Glidewell and Mid-South
Benefits Group are not aware of any persons or legal entities with a subrogation interest in this
matter.

(B) As to each claim, state whether it should be tried jury or nonjury and why.

ANSWER: Defendants James A. Glidewell, Brian S. Glidewell and Mid-South Benefits Group state that Plaintiffs' claims should be tried nonjury.

(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares of other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER: This Interrogatory does not apply to Defendant Mid-South Benefits Group, as it is not a publicly owned company.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER: This Interrogatory does not apply to Defendants James A. Glidewell, Brian S. Glidewell and/or Mid-South Benefits Group insofar as the assertion of a claim is concerned. These Defendants do, however, object on the basis that jurisdiction and venue over them is lacking.

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings or events; involve the identical parties or property or for any other reason would entail substantial duplication of labor if heard by different judges.

ANSWER: Defendants James A. Glidewell, Brian S. Glidewell and/or Mid-South Benefits Group are not aware of any other related matter filed in this District.

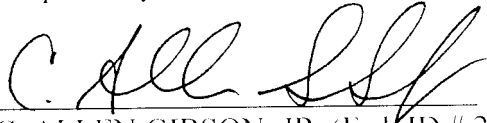
(F) If the Defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: Defendant Mid-South Benefits Group is an assumed name for Client Development Services, Inc. Counsel for Defendant will accept service of an amended summons and pleading on behalf of Client Development Services, Inc.

(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: Based on the allegations in the First Amended Complaint, North American Indemnity may be liable to some or all of the Plaintiffs based upon contractual obligations. For whatever reasons, these Plaintiffs have opted not to pursue their contract rights against North American Indemnity in this action. Some or all of the Plaintiffs are liable, personally and/or in their official capacity to the participants of the alleged Connelly Management Employee Welfare Benefits Plan based on the allegation that the Plaintiff employee adopted a single-employer, self-funded ERISA plan, with the Plaintiff employer as the sole plan sponsor. The Plaintiff employer is absolutely liable to its plan participants. Upon information and belief, some other named Defendants or third parties may be liable in whole or in part to Defendants Mid-South Benefits Group, James A. Glidewell, and/or Brian S. Glidewell or may be liable to some or all of the parties asserting claims against these Defendants, however, these Defendants are currently investigating these factual and legal issues. This interrogatory answer will be supplemented as further developments in this action, including discovery, move forward.

Respectfully submitted:



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Pro Hac Vice Petition Pending

ATTORNEYS FOR DEFENDANTS MID-SOUTH
 BENEFITS GROUP, JAMES A. GLIDEWELL, and
 BRIAN S. GLIDEWELL

Charleston, South Carolina
 This 12th day of May, 2003

CERTIFICATE OF SERVICE

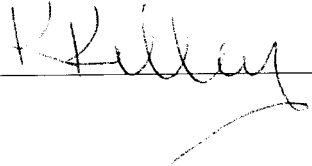
I hereby certify that one true and correct copy of the foregoing document was served via U.S. Mail, first class, postage prepaid, this 12th day of May 2003, upon:

Mark A. Mason, Esq.
One Courtyard Square
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Mount Pleasant, SC 29464

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Nelson Mullins Riley & Scarborough, LLP
Post Office Box 1806
Charleston, SC 29402

BUIST MOORE SMYTHE McGEE P.A.



CIVIL ACTION: 2:02-2440-18

Plaintiffs.

v.

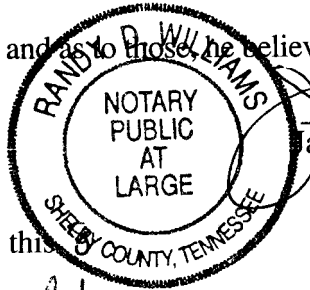
VERIFICATION

FERGUSON MARKETING GROUP, INC.
FERGUSON WALDRON COMMUNICATIONS, INC.
JOHN LEWIS FERGUSON, JR.
SHIRLEY C. "SHAN" FERGUSON
ROBERT WALDRON
SHARON WALDRON
W. MARKUS FRYE
AMERICAN HEARTLAND HEALTH
ADMINISTRATORS INCORPORATED
JACK H. M. FERGUSON
EDWIN W. EHLER
PATRICIA E. LUPHER
MID-SOUTH BENEFITS GROUP
JAMES A. GLIDEWELL
BRIAN S. GLIDEWELL
SOUTHERN PLAN ADMINISTRATORS, INC.
EUAN DAVID McNICOLL
JOHN FOWLER ANDERSON
MARSH INVESTMENT CORPORATION
McSOONER, INC.
JOHN E.J. KING
ARLENE G. CLEARE
WORLDWIDE TRUSTEES SERVICES LIMITED
MARKETRENDS FINANCIAL SERVICES, LTD.
MARKETRENDS INSURANCE, LTD.

Defendants.

PERSONALLY appeared before me James A. Glidewell, one of the individually named Defendants in the above captioned action who, being duly sworn, deposes and says that he is President of Mid-South Benefits Group, one of the Defendants in the above captioned action; that he has read the foregoing Answers to Rule 26.06 Interrogatories, and knows the contents thereof;

that the allegations contained therein are true of his knowledge, except those matters alleged on information and belief, and as to those, he believes them to be true.



James A. Glidewell

SWORN to before me this
day of May, 2003.

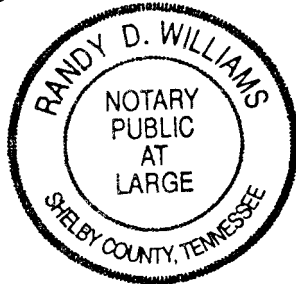
Randy D. Williams
Notary Public for Shelby County, State of Tennessee
My Commission Expires: 3-5-2006


IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

CONNELLY MANAGEMENT, INC.,)	CIVIL ACTION: 2:02-2440-18
CONNELLY MANAGEMENT EMPLOYEE)	
WELFARE BENEFIT PLAN,)	
JAMES B. CONNELLY, individually)	
JAMES B. CONNELLY, as a participant)	
under the Connelly Management Employee)	
Welfare Benefit Plan and all participants)	
similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	VERIFICATION
)	
FERGUSON MARKETING GROUP, INC.)	
FERGUSON WALDRON COMMUNICATIONS, INC.)	
JOHN LEWIS FERGUSON, JR.)	
SHIRLEY C. "SHAN" FERGUSON)	
ROBERT WALDRON)	
SHARON WALDRON)	
W. MARKUS FRYE)	
AMERICAN HEARTLAND HEALTH)	
ADMINISTRATORS INCORPORATED)	
JACK H. M. FERGUSON)	
EDWIN W. EHLE)	
PATRICIA E. LUPHER)	
MID-SOUTH BENEFITS GROUP)	
JAMES A. GLIDEWELL)	
BRIAN S. GLIDEWELL)	
SOUTHERN PLAN ADMINISTRATORS, INC.)	
EUAN DAVID McNICOLL)	
JOHN FOWLER ANDERSON)	
MARSH INVESTMENT CORPORATION)	
McSOONER, INC.)	
JOHN E.J. KING)	
ARLENE G. CLEARE)	
WORLDWIDE TRUSTEES SERVICES LIMITED)	
MARKETRENDS FINANCIAL SERVICES, LTD.)	

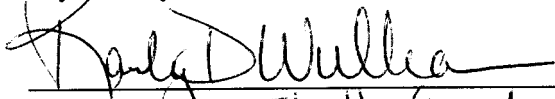
MARKETRENDS INSURANCE, LTD.)
)
Defendants.)
_____)

PERSONALLY appeared before me Brian S. Glidewell who, being duly sworn, deposes and says that he is one of the named defendants in the above captioned action and has read the foregoing Answers to Rule 26.06 Interrogatories, and knows the contents thereof; that the allegations contained therein are true of his knowledge, except those matters alleged on information and belief, and as to those, he believes them to be true.




Brian S. Glidewell

SWORN to before me this 8
day of May, 2003.



Notary Public for Shelby County State of Tennessee
My Commission Expires: 3-5-2006